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duct. His marital pledge to his wife was that he would support and maintain her as long as they both should live. He avers his inability to support two families. Why assume the burden of supporting two families if he was not able or willing to discharge it? To use a homely phrase. "He has made his bed[s], and on it he must lie."

Legal Process Employed by Thief.—An attorney, having secured judgments against a debtor, directed a constable to levy on furniture at his residence. No one was at home at the time of the constable's visit. He rang up the attorney, and was told to take the furniture to a certain warehouse, to conceal the name on the van, and to deliver the warehouse receipts to him. After the judgments were satisfied it was disclosed that the attorney had converted the goods, and that some of them had been discovered in his possession. In *People v. Frankenberg*, 86 Northeastern Reporter, 128, it was insisted that there was no proof of a felonious taking, necessary to support a conviction of larceny under a common-law indictment for that offense, as the taking under the execution was legal, or at least not criminal. The Supreme Court of Illinois affirmed the conviction of larceny of plaintiff in error, holding, that the crime may be committed where legal process is fraudulently and feloniously used for the purpose of securing possession of the goods by the thief.

Liability of Father for Reckless Driving of His Automobile by His Daughter.—While the daughter of one possessed of an automobile was driving it without her father's knowledge, she ran into plaintiff, injured him and furnished an incentive for the action in *Doran v. Thomsen*, 71 Atlantic Reporter, 296. The plaintiff contended that the daughter was the servant or the agent of the father and that he was liable for her torts. At the time of the accident she was using the machine for the recreation of herself and her own friends. The court of Errors and Appeals of New Jersey held that, even had the relation of master and servant existed generally between the father and daughter, yet it does not appear in this case that she was acting as such servant within the scope of her employment, so as to render him liable for her torts. Undoubtedly liability might have been visited upon the father had the machine been bought solely for his children's use and had been a menace to the safety of others, but his liability in that case would arise by reason of his negligence in intrusting a dangerous machine to the hands of an inexperienced or incompetent person.

Presentation of Note Over Telephone.—The negotiable Instrument Law of New York requires an instrument to be exhibited to the person from whom payment is demanded. In *Gilpin v. Savage*, 112 New York Supplement 802, it appeared that a clerk of indorsee, a bank,